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Via PACER

Hon. Nelson S. Román, U.S.D.J.
Charles L. Brieant Jr. Federal Building and Courthouse
300 Quarropas Street
White Plains, New York 10601

Def. Town of Colonie's request is GRANTED. Def. is directed to follow the Court's instructions at ECF No. 324.

Dated: October 20, 2023
White Plains, NY

SO ORDERED:

HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

Re: **Palisades Estates EOM, LLC, et al. v. County of Rockland, et al.**
Civil Case No.: 7:23-cv-04215

Dear Honorable Judge Román:

We represent defendant, Town of Colonie in the above referenced action. We write seeking leave to file supplemental arguments to the joint supplemental memorandum of law on behalf of the Town Defendants in support of Defendants' motion to dismiss and in opposition to Plaintiffs' motion for preliminary injunction.

We were in the process of requesting leave to submit supplemental briefing when the Court's October 13, 2023 (Dkt. 320) directed the parties to confer and proffer a joint proposal regarding same. We conferred and joined the Defendants' October 16, 2023 (Dkt. 323) submission proposing a joint memorandum on behalf of the Town Defendants.

The Court's October 17, 2023 (Dkt. 323) granted same, but not all Town Defendants leave to file the joint supplemental memorandum of law on behalf of Town Defendants. We respectfully request that the Town of Colonie be allowed to join in the joint supplemental memorandum of law so we may present individual, fact-based arguments and unique legal arguments pertaining to our Town. This will not hinder the agreed upon timeline. We thank the Court for its consideration of our request.

Respectfully requested,
THORN GERSHON TYMANN AND BONANNI, LLP

Matthew H. McNamara

cc: (via PACER): all parties

MEMO ENDORSED